

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
relation of State Engineer,)	
)	
Plaintiff,)	
)	69cv07941-JEC-ACE
-v-)	
)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON et al.,)	
)	Section 4, El Rito
Defendants.)	
_____)	

ORDER EXPANDING DUTIES AND POWERS OF RIO CHAMA WATER MASTER

THIS MATTER is before the Court on the Motion for Order Providing for Additional Duties and Powers for Rio Chama Water Master, filed by plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) on December 27, 2002 (Docket No. 6998).

The Court finds:

1. The powers and duties of the Rio Chama Water Master were first defined in the July 26, 1971 Partial Final Judgment and Decree for the Chama Mainstream Section (No. 1778). The State Engineer was ordered to appoint and employ the water master and such assistants as were necessary to administer and enforce the Decree.

2. Subsequently, Rio Chama Water Masters were appointed by Orders entered August 9, 1971 (No. 1789) and July 25, 1997 (No. 5665).

3. The Watermaster’s Rules and Regulations for the Chama Mainstream Section were approved and entered by the Court on May 30, 1972 (Nos. 1949-50).

4. On December 18, 2002, the Court entered its Order Granting Motion to Enforce Partial Final Decree and to Enjoin Further Diversion of Water (No. 6996) in the El Rito Section of the Rio

Chama Stream System adjudication. Pursuant to Paragraphs 4 and 5 of that Order, in the event of a disagreement regarding water allocation between the parties Acequia Jaral and Rudy Martinez, the Rio Chama Water Master will make an independent determination of the matter.

5. The State Engineer approves the additional powers and duties assigned to the Rio Chama Water Master by the December 18 Order, and requests the Court to approve the same.

Having reviewed the relevant pleadings and being otherwise fully advised in the matter, I find that the Motion is well-taken and should be GRANTED.

IT IS THEREFORE ORDERED that the duties and authority of the Rio Chama Water Master shall be expanded to include the work necessary for the implementation of the December 18, 2002 Order Granting Motion to Enforce Partial Final Decree and to Enjoin Further Diversion of Water.

/electronic signature/
JOHN EDWARDS CONWAY
UNITED STATES DISTRICT JUDGE

Recommended for approval:

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SPECIAL MASTER VICKIE L. GABIN